

REMARKS

Claim Status

Claims 1, 2, 4-9, 11-20 and 23-30, all of which were rejected in the final Office Action dated March 20, 2006, are pending in this application, with claims 1, 12, 20, 23, 27, 29, and 30 being in independent form. Claims 3, 10, 21, and 22 have been canceled. Claims 1, 2, 6, 7, 8, 12, 18, 20, 23, 27, 29, and 30 are herein amended for additional clarity.

Claim Rejections Under 35 USC §§ 102(e) and 103(a)

Claims 1-3, 5-6, 8-13 and 18-30 stand rejected under 35 U.S.C. §102(e) as being anticipated by U.S. Patent Publication No. 2005/0010653 ("McCanne"); claims 4 and 14-16 stand rejected under 35 U.S.C. §103 as being unpatentable over McCanne in view of U.S. Patent No. 6,160,843 ("McHale."); and claims 7 and 17 stand rejected under 35 U.S.C. §103 as being unpatentable over McCanne in view of U.S. Patent Publication No. 2002/0143951 ("Khan"). Applicant respectfully traverses all rejections and requests reconsideration and withdrawal thereof for at least the reasons presented below.

Independent claims 1, 12, 20, 23, 27, 29 and 30 relate to systems and methods for providing streamed electronic content to a plurality of user terminals in a client network from at least one remote electronic content source, comprising a client-side computer in the client network operable to receive a streamed unicast transmission of the requested content from a remote content source and to distribute the received content to the user terminals in the client network.

Claim 1, as amended herein, recites "A method for providing streamed electronic content to a plurality of user terminals in a client network from at least one remote electronic content source," and comprises:

receiving at a client-side computer requests from two or more user terminals in the client network for a common desired streamed content from the at least one remote electronic content store;

said client-side computer forwarding at least one content request to the at least one remote electronic content store for the common desired streamed content;

receiving by the client-side computer from the at least one content source a streamed unicast transmission of the requested content in response to said at least one content request; and

said client-side computer distributing the received streamed content corresponding to said streamed unicast transmission to each of the requesting plurality of user terminals in the client network.

As previously explained by Applicant, claim 1 expressly provides that the client-side computer and the user terminals are in the client network, and that the streamed content received as a unicast transmission by the client-side computer in the client network is distributed to each of the requesting user terminals in the client network. Additionally, Applicant previously pointed out that McCanne does not disclose, *inter alia*, a client network that includes a client-side computer that receives streamed content and distributes the streamed content to the user terminals also in the client network. Applicant further pointed out that while McCanne mentions ISPs streaming content to user terminals, McCanne simply is not concerned with distribution of

content within a client network at least inasmuch as McCanne does not disclose that the computer in McCanne that streams the content to the user terminals is a client-side computer in a client network and that such computer distributes the streamed content to user terminals in the client network.

In maintaining the rejection of claim 1, as set forth in the Advisory Action dated August 2, 2006, the Examiner refers to paragraph [0021] of McCanne, which generally describes how an Internet Group Management Protocol (IGMP) is used for multicasting: "In IGMP...the client subscribes to an 'IP Multicast' group by signaling to the nearest router with subscription information." (Advisory Action dated August, quoting McCanne at paragraph [0021], lines 12-14.) In view of this general reference in McCanne, the Examiner alleges that a "nearest router" may be considered a client-side computer and thus, that multicasting by a nearest router in McCanne satisfies Applicant's claim limitations concerning a client-side computer:

The nearest router is interpreted by the examiner as a client side computer, and the client is at the user terminal, and both are on the same network. Therefore, meets [sic] the claim limitations because the multicasting is performed at the client side. [Advisory Action dated August 2, 2006, page 2.]

Applicant respectfully disagrees with this and the other stated reasoning underlying the outstanding rejections, and maintains that the claims as pending prior to the herein amendment as well as the presently amended claims are patentably distinct over McCanne, individually or in view of the prior art of record. More specifically, Applicant respectfully submits that this alleged reading of the claim onto McCanne erroneously interprets the teachings of McCanne and disregards the combination of limitations required by Applicant's claim 1.

For instance, regardless of whether (or not) a nearest router in McCanne may be considered to be on a client-side, Applicant respectfully submits that McCanne does not teach or

suggest that such a nearest router is operative in, *inter alia*, “receiving . . . from the at least one content source a streamed unicast transmission of the requested content in response to said at least one content request” and “distributing the received streamed content corresponding to said streamed unicast transmission to each of the requesting plurality of user terminals in the client network,” as required for a “client-side computer” according to Applicant’s claim 1. More specifically, in McCanne, a nearest router that a client signals with subscription information for subscribing to an IP Multicast group—though generally operative in providing content from an ISP to a subscribing client—does not receive a unicast transmission from the content source that it then distributes to each requesting user terminal. Rather, under IGMP, as generally described by McCanne, the transmission from the content source/server to the router would be a multicast transmission, i.e., addressed to a multicast group, and the router then forwards the received multicast transmission according to the group address.

Additionally, as best understood by Applicant, McCanne does not teach or suggest that the nearest router provides user terminals with a multicast transmission of content received from a content source “in response to [] at least one content request” from user terminals in the client network, as required by Applicant’s claim 1. As best understood, multicasting in McCanne relates to content pushing for content distribution (e.g., in the distribution network) rather than content pulling by user terminals according to a request/response methodology.

Applicant has herein amended claim 1 to further clarify that a client-side computer that receives the streamed content (and distributes the received streamed content to the requesting user terminals) is operative in “receiving . . . requests from two or more user terminals in the client network for a common desired streamed content from the at least one remote electronic content store” and “forwarding at least one content request to the at least one remote electronic

content store for the common desired streamed content.” Regardless of whether (or not) a nearest router in McCanne may be considered to be on a client-side, Applicant respectfully submits that McCanne additionally does not teach or suggest, *inter alia*, that a computer operative in forwarding a content request to the content source receives a transmission of the requested content and then distributes that content to a plurality of client devices. For instance, McCanne describes a first edge router routing a content request to the redirection/content distribution network to implement inter-ISP content peering, and the content then being provided via another edge router (see, e.g., Fig. 6 of McCanne). Applicant respectfully notes that, at least in this respect, an edge routers in the ISP peering arrangement proposed by McCanne is not a client-side computer as claimed by Applicant (claim 1).

For at least the foregoing reasons, Applicant respectfully submits that that claim 1 is patentably distinct over McCanne. Applicant notes that independent claims 12, 20, 23, 27, 29 and 30, (which relate to a client-side computer in the client network operative in receiving a unicast transmission of streamed content, and distributing the received content to user terminals in the client network), include one or more limitations similar to those discussed above in connection with distinctions between claim 1 and McCanne. Accordingly, Applicant respectfully submits that each of these independent claims is patentably distinct over McCanne based on at least similar reasoning for the corresponding limitations. Applicant further submits that McHale and Khan, individually or in combination with McCanne, do not remedy the deficiencies described hereinabove with respect to claim 1, and thus with respect to the other independent claims as well.

Moreover, it is submitted that each of the dependent claims is allowable for at least the reasons discussed above. Applicant respectfully submits, however, that the dependent claims

recite additional limitations that provide additional bases for patentable distinction over the prior art of record, and Applicant respectfully reserves the right to present such bases. Similarly, because Applicant maintains that all claims are allowable for at least the reasons presented hereinabove, in the interests of brevity, this response does not comment on each and every comment made by the Examiner in the final Office Action. This should not be taken as acquiescence of the substance of those comments, and Applicant reserves the right to address such comments..

Conclusion

In view of the above, Applicant respectfully submits that all pending claims are allowable and the application is in condition for allowance. Early reconsideration and allowance of the application with claims 1, 2, 4-9, 11-20 and 23-30 are respectfully requested. The Examiner is respectfully invited to contact the Applicant's undersigned representative by telephone on any outstanding issue regarding the application.

Respectfully submitted,

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